

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

RICHARD L. LEWARK,
Plaintiff,

vs.

CIV. NO. 1:24-cv-00833-KRS

MARTIN O'MALLEY,
Commissioner of Social Security,
Defendant.

**ORDER GRANTING DEFENDANT'S UNOPPOSED MOTION FOR REMAND TO
AGENCY PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(G)**

Defendant, Commissioner of the Social Security ("Commissioner"), has filed an unopposed motion with this Court (Doc. 11), pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the case to the Commissioner for further administrative proceedings. Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby **REVERSES** the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a **REMAND** to the Commissioner for further administrative proceedings. *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

IT IS SO ORDERED this 22 day of October, 2024.



THE HONORABLE KEVIN R. SWEAZE
UNITED STATES MAGISTRATE JUDGE